

NOTICE OF FILING AND PUBLIC HEARING

D.T.E. 02-37

June 7, 2002

Request from Boston Gas Company to the Department of Telecommunications and Energy proposing an extension of its performance-based ratemaking plan established in Boston Gas Company, D.T.E. 96-50 (Phase I) (1996).

On May 21, 2002, Boston Gas Company ("Boston Gas" or "Company") filed with the Department of Telecommunications and Energy ("Department") a request to extend the Company's performance-based ratemaking plan ("PBR Plan") established in Boston Gas Company, D.T.E. 96-50 (Phase I) (1996). The Department docketed this request as D.T.E. 02-37.

In D.P.U. 96-50, the Department approved a five-year term for Boston Gas' PBR Plan. The five-year term of the PBR Plan allowed for five successive annual adjustments, according to a specific PBR formula. The Department also said that "the [PBR] plan may be extended without modification for an additional term, extended with modifications or terminated."

Boston Gas proposes to extend the PBR Plan for an additional term of one year by following the annual adjustment procedure approved in D.T.E. 96-50. Under this procedure, the Company would file a compliance filing on or about September 16, 2002. In the compliance filing, the Company would apply the PBR formula established in D.T.E. 96-50 to set rates for effect on November 1, 2002.

The Department will accept written comments and will conduct a public hearing on the Company's request. With respect to the written comments, any persons wishing to submit such comments on the Company's proposal should file as follows: an original with Mary L. Cottrell, Secretary and seven (7) copies with the Hearing Officer, Caroline M. O'Brien. The original and copies should be delivered to the Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110, not later than the close of business (5:00 p.m.) on **Tuesday, June 18, 2002**. Reply Comments should be delivered to the Department not later than noon on **Monday, June 24, 2002**.

All written comments or petitions to intervene also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment

to dte.efiling@state.ma.us and caroline.obrien@state.ma.us or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding (D.T.E. 02-37), (2) name of the person or company submitting the filing, and (3) a brief descriptive title of the document. The electronic filing should also include the name, title and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a ".wpd" suffix), in Microsoft Word (naming the document with a ".doc" suffix), or as an Adobe PDF file (naming the document with a ".pdf" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. All written pleadings or comments submitted in electronic format will be posted on the Department's Website, <http://www.mass.gov/dpu>.

Regarding the hearing, the Department will conduct a public hearing to receive comments on the Company's proposal on **Wednesday, June 26, 2002**, at 10:00 a.m. The hearing will take place at the Department's offices, One South Station, 2nd Floor, Boston, Massachusetts 02110.

The Company's request may be inspected at the offices of the Department during normal business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m.). The Company's request is also available on the Department's Website. Any person desiring further information regarding this notice should contact Caroline M. O'Brien, Hearing Officer, Department of Telecommunications and Energy, at (617) 305-3500.

By Order of the Department,

Mary L. Cottrell, Secretary

ORDER OF NOTICE

02-37

June 7, 2002

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Boston Gas Company ("Boston Gas" or "Company") shall, no later than fourteen (14) days prior to Wednesday, June 26, 2002, give notice of said hearing by publication in the Boston Globe or the Boston Herald. The Company shall provide actual notice to any person who has filed a request for notice with the Company, and provide a copy of this notice to all participants in Boston Gas Company, D.T.E. 96-50 (Phase I) (1996). The Company is required to make return of service at the time of the public hearing.

By Order of the Department.

MARY L. COTTRELL, SECRETARY

